

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FUNimation ENTERTAINMENT,
Plaintiff

v.

A.D. VISION, INC., JOHN ROBERT LEDFORD
II, AESIR HOLDINGS L.L.C., SXION 23 L.L.C.,
SERAPHIM STUDIOS, L.L.C., VALKYRIE
MEDIA PARTNERS, L.L.C., SENTA
FILMWORKS, L.L.C., SENTA
HOLDINGS,
L.L.C., and UNIO MYSTICA HOLDINGS,
L.L.C., f/k/a UNIOMYSTICA, L.L.C. d/b/a
SWITCHBLADE PICTURES,
Defendants.

A.D. VISION, INC.
Third-party Plaintiff,

v.

FUNIMATION PRODUCTIONS, LTD.,
ANIMEONLINE, LTD., FUNIMATION GP,
LLC, FUNIMATION LP, LLC, FUNIMATION
HOLDINGS, LLC, ANIME HOLDINGS, LLC,
and GEN FUKUNAGA,
Third-party Defendants.

CIVIL ACTION NO. 4:12-cv-01736

JURY DEMAND

**COUNTER- AND CROSS-CLAIM DEFENDANTS' OPPOSED
MOTION TO VACATE AND RESET DOCKET CONTROL ORDER DEADLINES**

TO THE HONORABLE JUDGE OF SAID COURT:

Counter- and Cross-Claim Defendants FUNimation Entertainment, FUNimation Productions, Ltd., Animeonline, Ltd., FUNimation GP, LLC, FUNimation LP, LLC, FUNimation Holdings, LLC, Anime Holdings, LLC, and Gen Fukunaga (collectively “FUNimation”) file this Opposed Motion to Vacate and Reset Docket Control Order Deadlines, and respectfully show the Court as follows:

On September 20, 2012 this Court entered the Scheduling/Docket Control Order (dkt. no. 17) for the above-styled litigation. On October 23, 2012, Counter-Defendants filed their Amended Motion to Dismiss (dkt. no. 26), which is pending before this Court. On April 11, 2013, the Court requested that Counter-Defendants submit a Reply brief in support of that Motion (dkt. no. 43). That brief is being filed today.

Although the Court declined to stay discovery during the pendency of the Motion to Dismiss, Counter-Defendants have found it difficult to participate in discovery given the uncertainty regarding the scope of the case. April 8 was the deadline for parties seeking affirmative relief to serve expert reports. No party met this deadline, finding the scope of required opinion to be undefined. The parties also have refrained from scheduling depositions, given that the scope of required testimony is potentially subject to change.

Counter-Defendants respectfully request that the Court vacate the deadlines in the current Scheduling/Docket Control Order. All parties will benefit from resetting the deadlines so that all parties can meet them. This Motion is made in good faith and for good cause, and not for purposes of delay.

Respectfully submitted,

By: /s/ Lauren J. Harrison
LAUREN J. HARRISON
Attorney-in-Charge
Fed. Id. No. 30232
State Bar No. 24025840
1001 Fannin, Suite 2450
Houston, Texas 77046
713.437.1800
713.437.1810 (facsimile)
Email: lharrison@joneswalker.com

OF COUNSEL:
JONES WALKER LLP

**ATTORNEYS FOR PLAINTIFF
FUNIMATION ENTERTAINMENT AND
THIRD-PARTY DEFENDANTS
FUNIMATION PRODUCTIONS, LTD.,
ANIMEONLINE, LTD., FUNIMATION GP,
LLC, FUNIMATION LP, LLC, FUNIMATION
HOLDINGS, LLC, ANIME HOLDINGS, LLC,
and GEN FUKUNAGA**

CERTIFICATE OF CONFERENCE

On April 18, 2013, I sent a copy of the Motion to counsel for all parties and sought their agreement to the relief requested and they are opposed.

/s/ Lauren J. Harrison

LAUREN J. HARRISON

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was forwarded to all known counsel of record listed below via CM/ECF in accordance with the Federal Rules of Civil Procedure on this the 19th day of April, 2012.

Mr. Kyle C. Herbert
Mr. Shane A. McClelland
SIMON, HERBERT, McCLELLAND
& STILES, LLP
3411 Richmond Avenue, Suite 400
Houston, Texas 77046
*Attorneys for Defendants Aesir Holdings, L.L.C.,
Sxion 23, L.L.C., Valkyrie Media Partners, L.L.C.,
Seraphim Studios, L.L.C., Sentai Filmworks,
L.L.C., and Unio Mystica Holdings, L.L.C.
f/k/a UnioMystica, L.L.C. d/b/a
Switchblade Pictures*

Mr. Chris Lacy
Ms. Jamie Aycock
Ms. Lauren Reeder
AHMAD, ZAVITSANOS, ANAIPAKOS, ALAVI
& MENSING, P.C.
1221 McKinney, Suite 3460
Houston, Texas 77010
*Attorneys for Defendant/Third-Party
Plaintiff A.D. Vision, Inc. and
Defendant John Robert Ledford II*

/s/ Lauren J. Harrison

LAUREN J. HARRISON